

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

JOSE MARIA DECASTRO, an individual)	Case No. 1:22-cv-11421
)	
Plaintiff,)	PLAINTIFF'S MOTION FOR
)	RECONSIDERATION OF MOTION
v.)	TO CORRECT OR ALTERNATIVE
)	ACTION; AND FOR EXTENSION OF
JOSHUA ABRAMS, an individual, et al.,)	TIME TO RESPOND TO COUNTER
)	CLAIM
Defendants.)	

PLAINTIFF'S MOTION FOR RECONSIDERATION OF MOTION TO
CORRECT OR ALTERNATIVELY LEAVE TO FILE THE MOTION *NUNC PRO TUNC*
WITH CLARIFICATION

I, Plaintiff Jose DeCastro ("I" or "My"), hereby moves this Honorable Court to reconsider its denial of my Motion to Correct (Docket # 59) ("MTC") as moot. The forementioned motion was clearly requesting a *nunc pro tunc* correction to correct this Courts error which would make my First Amended Complaint (Docket # 62) moot instead of the other way around.

In the alternative, I move that this Court grant me the leave to file an amended MTC dated *nunc pro tunc* to the original filing date of the forementioned MTC clarifying that the MTC is requesting a *nunc pro tunc* correction.

**PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO RESPOND TO
COUNTER CLAIM**

I hereby move this Honorable Court to grant an extension of time to allow for at least 21 days after pending dispositive motions, including the MTC, are decided. I have not prepared a response with the understanding that time was not being tolled. Additionally, I expected any response rendered moot once this court rules in the interest of justice and allows a complete dismissal without prejudice through an order on the authority cited or after an evidentiary hearing on the missing Notice of Voluntary Dismissal filing. The harassment of my legal team by the Defendants, indicated in my Motion for Contempt, has also affected things. I filed the amended complaint to clarify things so as not to waste the parties' time dealing with things that were not going to be decided in this action, not the opposite.

CONCLUSION

I will continue to protect my right to appeal this court's error, as described in my MTC and its supplemented Points and Authorities and will have an appeal option should I fail to win on the merits. If I'm forced to litigate a copyright claim in this circuit, I will need additional time to serve YouTube with my amended complaint under L.R. 15.1 to add them as a party, Defendants' permissive counter claims, which are required to establish jurisdiction, will be successfully attacked on their lack of jurisdiction both subject and personal. In the interest of justice and saving monies that the Defendants claim that I'm trying to run up, I pray for my motions leading to a voluntary dismissal be granted.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2)

The court has waived this local rule for the remainder of this action.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Dated: November 21, 2022

Respectfully submitted,

/s/ Jose DeCastro

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